

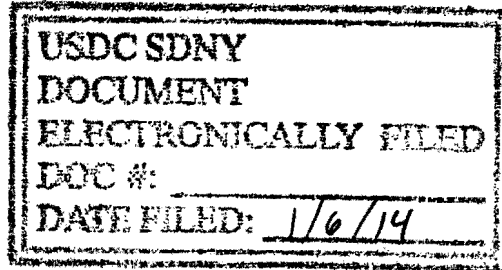
# ANDERSON KILL P.C.

Attorneys and Counselors at Law

1055 WASHINGTON BOULEVARD, SUITE 510 ■ STAMFORD, CT 06901

TELEPHONE: 203-388-7950 ■ FAX: 203-388-0750

www.andersonkill.com



Edward J. Stein, Esq.  
Estein@andersonkill.com  
203-388-7945

January 2, 2014

By ECF

Hon. Henry B. Pitman  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St.  
New York, NY 10007-1312

*APPLICATION GRANTED.  
NO FURTHER EXTENSION*

**SO ORDERED**

Re: Sea Trade Maritime Corp. & George Peters v. Stelios  
Coutsodontis, No. 09 Civ. 488(LGS)(HBP)

*[Signature]*  
HENRY PITMAN  
UNITED STATES MAGISTRATE JUDGE  
1-6-14

Dear Judge Pitman:

I write on behalf of Anderson Kill P.C. to request an extension of time in which to reply to defendant's opposition to Anderson Kill's Petition to Enforce Attorney's Lien and Judgment in the above-referenced matter. In response to my December 4, 2013 letter requesting a reply deadline of January 3, 2014, you ordered that reply papers are to be submitted by January 6, 2014 [107] (copy enclosed). We respectfully request a one-week extension, such that our reply papers would be due January 13, 2014, in light of issues which arose in other cases over the holidays that required (and continue to require) immediate attention.

Because there is no hearing set on the petition, the requested extension should have no effect on Defendant, nor on the Court's handling of this petition. However, counsel for Defendant just replied to my inquiries concerning the requested extension, stating "While we normally consent to such requests, given the fact that you have already been granted one prior reply extension by the Court, we cannot voluntarily consent to your request." (See enclosed email dated January 2, 2014.)

In fact, this is our first request for an extension. My letter of December 4, 2013 simply requested that the Court allow a reply, because its initial scheduling order [105] set a time for Defendant's opposition but did not mention reply papers.

Thank you for your attention to this matter.

Sincerely,

*[Signature]*  
Edward J. Stein

EJS

cc: Via ECF to Counsel of Record

New York, NY ■ Ventura, CA ■ Stamford, CT ■ Washington, DC ■ Newark, NJ ■ Philadelphia, PA

nydocs1-1025037.1

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/6/13

**ANDERSON KILL P.C.**

1055 WASHINGTON BOULEVARD, SUITE 610 ■ STAMFORD, CT 06901  
TELEPHONE: 203-388-7950 ■ FAX: 203-388-0750  
www.andersonkill.com

Edward J. Stein, Esq.  
EStein@andersonkill.com  
203-388-7946

December 4, 2013

**By ECF**

Hon. Henry B. Pitman  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Sea Trade Maritime Corp. & George Peters v. Stelios  
Coutsodontis, No. 09 Civ. 488(LGS)(HBP)

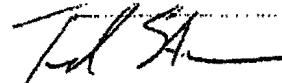
Dear Judge Pitman:

I write in response to your Order [105] in the above-referenced action entered today, which granted in part Defendant's Letter Motion for Conference [103] to the extent it sought a briefing schedule, by ordering Defendants to serve and file their opposition papers no later than December 20, 2013, and denied Defendants' Letter Motion in all other respects.

The purpose of this letter is to respectfully request that Anderson Kill P.C. be permitted to submit papers replying to any such opposition, with reply papers to be served and filed no later than January 3, 2014, given the holidays.

Thank you for your attention to this matter.

Sincerely,




Edward J. Stein

EJS

cc: Via ECF to Counsel of Record

ANDERSON ~~KILL~~ KILL  
SHALL SUBMIT ITS REPLY BY  
1-6-14.

SO ORDERED



HENRY PITMAN  
UNITED STATES MAGISTRATE JUDGE  
12-5-13

**Stein, Edward J.**

---

**From:** Scott R. Johnston <[sjohnston@polestublin.com](mailto:sjohnston@polestublin.com)>  
**Sent:** Thursday, January 02, 2014 1:55 PM  
**To:** Stein, Edward J.  
**Subject:** RE: Sea Trade / Anderson Kill

Dear Mr. Stein:

While we normally consent to such requests, given the fact that you have already been granted one prior reply extension by the Court, we cannot voluntarily consent to your request.

Best regards,

Scott R. Johnston

---

Scott R. Johnston, Esq.  
Poles Tublin Stratakis & Gonzalez, LLP  
46 Trinity Place – Fifth Floor  
New York, New York 10006-2288

tel. (212) 943-0110  
fax. (212) 269-9875  
[sjohnston@polestublin.com](mailto:sjohnston@polestublin.com)

Treasury Department Circular 230 Disclosure: To ensure compliance with requirements imposed by the Treasury Department, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Confidentiality Notice: This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. Section 2510. Its disclosure is strictly limited to the sender's intended recipient. This transmission, including any attachments, may contain confidential attorney-client privileged information and/or attorney work product. If you are not the sender's intended recipient, or the employee or agent responsible to deliver this transmission to sender's intended recipient, any disclosure, copying, distribution, or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. Please contact the sender immediately by return e-mail or by telephone at (212) 943-0110 and destroy the original transmission and its attachments without reading or saving the transmission in any manner. Please also advise the sender immediately if you or your employer does not consent to Internet e-mail for messages of this kind. Thank you.

This email communication and attachment(s), if any, have been scanned for viruses upon transmission and are believed to be free of any virus and/or other defect that might adversely affect the recipient when received and opened. Nonetheless, it is the ultimate responsibility of the recipient to ensure that this email communication and attachment(s), if any, are virus free. Poles Tublin Stratakis & Gonzalez, LLP accepts no responsibility for any loss or damage arising in any way from its use.

---

**From:** Stein, Edward J. [<mailto:Estein@andersonkill.com>]  
**Sent:** Tuesday, December 31, 2013 12:27 PM  
**To:** Scott R. Johnston Esq. ([sjohnston@polestublin.com](mailto:sjohnston@polestublin.com))  
**Subject:** Sea Trade / Anderson Kill

Scott –

I'll be asking the court for a week's extension on Anderson Kill's reply to Capt. Coutsodontis's opposition to our fee petition, from January 6 to January 13, 2013.

As far as I know (and I just checked ECF) there is no hearing set on the petition, so the requested extension would not have any impact. But please let me know whether you have any objection to the request.

Thanks for any courtesy you can extend here, and best wishes for the New Year.

--Ted Stein  
Anderson Kill PC  
1055 Washington Boulevard, Suite 510, Stamford, CT 06901  
ph. 203-388-7945; fax 203-388-0750

PS - I called your office earlier and understand you're away. This repeats a message just left on your voicemail; no need to listen if you get this first.

This electronic mail transmission may contain privileged, confidential and/or proprietary information intended only for the person(s) named. Any use, distribution, copying or disclosure to another person is strictly prohibited. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed therein.



# POLES TUBLIN

POLES, TUBLIN, STRATAKIS & GONZALEZ, LLP

Writer's New York Telephone Ext.: 223  
Writer's Email: [sjohnston@polestublin.com](mailto:sjohnston@polestublin.com)

Respond to New York, New York Address

46 Trinity Place, 5th Fl.  
New York, NY 10006  
Tel: (212) 943-0110  
Fax: (212) 269-9875

127 E. Mt. Pleasant Ave.  
Livingston, NJ 07039  
Tel: (973) 992-3555  
Fax: (973) 992-9397

[info@polestublin.com](mailto:info@polestublin.com)  
[www.polestublin.com](http://www.polestublin.com)

January 2, 2014

**Via ECF**

Hon. Henry B. Pitman  
United States District Court, Southern District of New York  
500 Pearl Street – Courtroom 18A  
New York, New York 10007-1312

Re: *Sea Trade Maritime Corp. & George Peters v. Stelios Coutsodontis*  
Case 1:09-cv-00488-LGS-HBP

Dear Judge Pitman:

We represent Stelios Coutsodontis, defendant in the above-reference action (hereinafter '*Capt. Coutsodontis*'). We are writing in response to Anderson Kill P.C.'s (hereinafter '*Petitioner*') letter of January 2, 2014 seeking an extension (from January 6 to January 13, 2014) in which to file its reply memorandum. While Capt. Coutsodontis would normally consent to such a request, he cannot do so in this case. The Court is respectfully reminded that it initially did not see the need, nor provide for a reply submission by Petitioner in the Court's fee petition briefing schedule. Nonetheless, Anderson Kill requested permission to file a reply on or before January 3, 2014 "given the holidays." The Court not only granted this request, but extended the reply date to January 6, 2014. Anderson Kill now seeks an additional extension to January 13, 2014 without identifying the purported issues which have arisen.

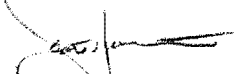
The Court is respectfully reminded that Anderson Kill's Petition fails to segregate the legal work done on behalf of Plaintiff Sea Trade Maritime Corporation (hereinafter '*Sea Trade*') and Plaintiff George Peters (hereinafter '*Peters*') and yet seeks the totality of its legal compensation from George Peters' purported half of the escrow corpus to which only Sea Trade and Capt. Coutsodontis are parties. The Court is further respectfully reminded Anderson Kill's Petition fails to proffer to the Court how much, if any, of its purported legal fees are attributable to Sea Trade and how much are attributable to George Peters. Indeed, despite being an adjudicated 50% owner of Sea Trade (an adjudication which is currently on appeal before the Supreme Court of Athens, Greece), Capt. Coutsodontis has not been allowed to review any of Sea Trade's books and records, including the purported legal fees. In point of fact, Capt. Coutsodontis was excluded from any participation, or even notice, of the negotiations leading to the Judgment upon Confession entered into by George Peters on behalf of Sea Trade. Allowing any further extension of Anderson Kill's reply date will not alter any of the foregoing, nor will it overcome the controlling law in New York that **shareholders**

cannot raid the corporate treasury for purely personal power contests,<sup>1</sup> as Peters has been doing in the instant matter nor the fact that no lien exists under New York law, as cited by Capt. Coutsodontis in his opposition to Anderson Kill's Petition.

Given the foregoing, Anderson Kill's request should be denied. We thank the Court for attention and consideration.

Very truly yours,

POLES TUBLIN STRATAKIS & GONZALES, LLP

  
Scott R. Johnston

---

<sup>1</sup> *Rosenfeld v. Fairchild Engine & Airplane Corp.*, 309 N.Y. 168, 173, 128 N.E.2d 291, 293 (1955)